

PLANNING COMMISSION

ACTION MINUTES

TUESDAY, OCTOBER 21, 2003

Chair Mathewson called the meeting to order at 7:01 p.m. at the Twin Pines Senior and Community Center.

1. ROLL CALL:

Present, Commissioners: Mathewson, Parsons, Dickenson, Gibson, Torre

Absent, Commissioners: Long, Frautschi

Present, Staff: Principal Planner, Carlos de Melo (PP), Brian Froelich, Zoning Technician (ZT), City Attorney Jean Savaree (CA), Recording Secretary, Rachel Szabó (RS)

2. AGENDA AMENDMENTS: None

3. COMMUNITY FORUM (Public Comments): None

4. CONSENT CALENDAR:

Minutes of September 16, 2003

MOTION: By Commissioner Gibson, second by Commissioner Torre, to approve the minutes of September 16, 2003.

Ayes: Gibson, Torre, Dickenson, Parsons, Mathewson. Passed 5/0

Chair Mathewson voted yes, but recusing on the item concerning 1814 Oak Knoll Drive.

5. PUBLIC HEARINGS:

5A. PUBLIC HEARING – 3311 Bay Court

To consider a Single Family Design Review to expand the second floor of an existing single-family residence by 560 square feet for a total of 3,352 square feet that is below the permitted zoning district maximum of 3,500 square feet for this site. (Appl. 03-0064)

APN: 043-222-330; Zoned: R-1B (Single Family Residential)

CEQA Status: Categorical Exemption per Section 15301, Class 1(e)(1)

Applicant/Owner(s): Dennis and Linua Homer

C Gibson recused as he lives within the 500 foot radius of the subject site.

ZT Froelich summarized the staff report recommending approval of the project, with attached conditions.

Architect, Fred Strathdee addressed the Commission stating that his only concern was the removal of the portion of driveway, which staff recommended as a condition of approval.

Dennis Homer, owner of the subject site added that it would be very important for the family to keep the driveway as it is, as both his parents and his wife's parents are slightly handicapped. They widened the driveway so that when their parent's pulled up, they could exit their vehicles without stepping into the dirt on the side of the driveway. He also noted that there was limited to no parking on the street.

C Parsons stated that the owner had a 2-car garage, and asked Mr. Homer if he used it to park his cars.

The owner said that he had a workshop set up in his garage and because of that could not park his cars in his garage.

C Parsons asked the owner if he realized that Belmont had an ordinance that states, you must keep your garage clear so that 2 cars can be parked in the garage.

The owner replied that he was not aware of that ordinance.

MOTION: By Commissioner Torre, second by Commissioner Dickenson, to close the Public Hearing. Motion Passed.

Chair Mathewson asked staff since the City was requiring a portion of the parking pad to be removed, what would be the mechanism for the owners to request to keep it.

PP de Melo stated that the Owner would have to submit an application for a Variance in order to keep portions of the driveway as it exists now.

C Torre asked CA Savaree if the City was required to look at other project requirements.

CA Savaree answered that when a project comes before staff for review, applicants are required to correct any pre-existing conditions that are out of compliance, as part of the process to obtain permits to move forward with their project.

MOTION: By Commissioner Torre, second by Commissioner Parsons, to approve a Single Family Design Review at 3311 Bay Court with an additional condition regarding removal of the excess pavement in front of the garage as discussed earlier by Planning Commission staff.

Ayes: Torre, Parsons, Dickenson, Mathewson

Noes: None

Recused: Gibson

Chair Mathewson noted that this item may be appealed before City Council within 10 days.

5B. PUBLIC HEARING - 2514 Ralston Avenue

To consider a Single Family Design Review, Variance, and Tree Removal Permit to build a new 2,390 square foot single-family residence in a zoning district that permits 2,400 square feet for this site. (Appl. 03-0063)

APN: 043-322-450; Zoned: HRO-2 (Hillside Residential and Open Space)

CEQA Status: Categorical Exemption per Section 15303, Class 3(a)

Applicant/Owner: Kamal Fallaha

PP de Melo summarized the Staff Report recommending approval of the project.

C Parsons questioned staff as to whether the ascending property would come into City ownership.

PP de Melo replied that it would not as the City has tried to make it a practice not to try to obtain property because of maintenance and liability issues associated with that action. So what the City does more commonly is, for these types of Floor Area Transfers is have a scenic or conservation easement accepted over the property, still under the ownership of the applicant.

Chair Mathewson noted that he understands that some of the utility line trenching needs to be re-routed. He asked staff if the City Arborist is the one that verifies that this happens.

PP de Melo stated that besides having the Arborist look at the plans at this stage, staff also has the Arborist do periodic site visits as the project progresses.

Kamal Fallaha, owner/applicant, addressed the Commission. He stated that last week he met with the City Arborist and agreed on a route for the trenching. He also noted that the roadway is almost complete, too. He also stated that he has done his best to save every tree he possibly could on the site noting that on his plans he realigned the roadway in order to save some Oak trees.

MOTION: By Commissioner Torre, second by Commissioner Dickenson, to close the public hearing. Motion passed.

C Torre stated that she was a little concerned about the number of areas being covered with lattice, so she visited the site and noted that these areas would not be visible from the street.

C Parsons asked the Applicant to consider toning down the colors of the materials to be used so that it would fit in better with the surroundings. He also asked that staff attach a condition to the project stating that the landscape plan come back to the Commission for approval.

Chair Mathewson stated that he also has a home that has a driveway bridge and feels that variances such as this should be granted.

MOTION: By Commissioner Parsons, second by Commissioner Dickenson, approving a Single Family Design Review, Variance, and Tree Removal Permit at 2514 Ralston Avenue with attached conditions and the return of the Landscape Plan for Planning Commission Review and Approval.

Ayes: Parsons, Dickenson, Gibson, Mathewson, Torre

Noes: None

Motion Passed 5/0

Chair Mathewson noted that this motion may be appealed before the City Council within 10 days.

6. STUDY SESSION

6A. Request for Extension – Single Family Design Review – 1801 Alden Street

PP de Melo gave his presentation recommending approval of the request.

Melissa Fitzpatrick, owner/applicant addressed the Commission. She stated that after her original approval, they proceeded to look for a Contractor to do the actual work on the project. They found that many Contractors were so booked up that they didn't even want to look at their plans. She added that they also ran into a financial hardship. As the months passed they continued to look for a Contractor, but as the interest rates and economy was down, it seemed many people were doing remodels on their homes and it was difficult to find a Contractor. But they now have a Contractor and a start date lined up.

Chair Mathewson said that he felt this particular situation met the criteria to grant the extension.

MOTION: By Commissioner Torre, second by Commissioner Dickenson, to approve the extension on a Single Family Design Review for 1801 Alden Street with the conditions attached.

Ayes: Torre, Dickenson, Parsons, Gibson, Mathewson

Noes: None

Chair Mathewson noted that this motion is not appealable.

7. REPORTS, STUDIES, UPDATES, AND COMMENTS

C Torre informed the Commission that she is moving to San Carlos and that she would miss the Commission members and staff, and thanked everyone.

Chair Mathewson said he was sorry C Torre was leaving.

8. ADJOURNMENT: 8:10 pm

Craig A. Ewing, AICP

Planning Commission Secretary

Audiotapes of Planning Commission Meetings are available for review in the Community Development Department Please call (650) 595-7416 to schedule an appointment.